

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROXANNE SMITH,

Plaintiff,

-against-

EXPERIAN INFORMATION  
SOLUTIONS, INC., et al.,

Defendant.

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No. 20 CV 1018-LTS-GWG

ORDER OF DISMISSAL AS  
AGAINST CAPITAL ONE BANK  
(USA) N.A.

The attorneys for the parties have advised the Court that this action has been or will be settled as against defendant Capital One Bank (USA) N.A., which is the sole remaining defendant in this case. Accordingly, it is hereby ORDERED that this action is dismissed with prejudice as against Capital One Bank (USA) N.A. and without costs to any party, but without prejudice to restoration of the claims against that Defendant if settlement is not achieved within thirty (30) days of the date of this Order. If a party wishes to restore the claims or extend the time within which they may be settled, the party must make a letter application before this thirty (30)-day period expires.

The parties are advised that if they wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court to be so ordered.

The case has been resolved as against all other defendants. Accordingly, the Clerk of Court is respectfully requested to close it on the records of this Court.

SO ORDERED.

Dated: New York, New York  
December 11, 2020

/s/ Laura Taylor Swain  
**LAURA TAYLOR SWAIN**  
United States District Judge